

**BEFORE THE CONTRACTORS STATE LICENSE BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Citation Against:

SHAUN DAVID ETCHEGOYEN

Complaint No. S E 2020 7862

Citation No. 5 2020 1761

Modified Citation

Respondent

Complainant Alleges

Parties

David Fogt ("Complainant") brings this Citation solely in his official capacity as the Registrar of the Contractors State License Board ("CSLB"), Department of Consumer Affairs.

STATUTORY PROVISIONS

BPC section 12.5 authorizes the Registrar of Contractors to issue citations for a violation of any provision of this code and to issue a citation for this violation of any regulation adopted pursuant to any provision of this code.

BPC section 7028.6. Authorizes the Registrar of Contractors to issue citations containing orders of abatement and civil penalties against persons acting in the capacity of or engaging in the business of a contractor within this state without having a license in good standing to so act or engage.

BPC section 7028.7. If upon investigation, the Registrar has probable cause to believe that an unlicensed individual is in violation of section 7027.1, 7027.3, 7125.2d or 7153, the Registrar may issue a citation.

Informal Citation Conference was held pursuant to B & P Code 7099.8. Parties agreed to modify the citation fines as set forth below.

CAUSE FOR CITATION

Description of Violation: Refer to Original Citation

It is CSLB's finding that you violated one or more of the following:

- ☐ B&P Code §7028.7/7027.1 Advertising for construction or improvement as an unlicensed contractor
 - o Modified Civil Penalty Assessed _____
- ☒ B&P Code §7028.7/7027.3 Fraudulent use of a license number
 - o Modified Civil Penalty Assessed \$2,000.00
- ☒ B&P Code §7028.7 Contracting without a license
 - o Modified Civil Penalty Assessed \$5,000.00
- ☐ B&P Code §7028.7/7125.2(d) Failure to maintain workers compensation insurance for employees
 - o Modified Civil Penalty Assessed _____
- ☐ B&P Code §7028.7/7153 Engaged as Salesperson for home improvement contractor without registration

o **Modified Civil Penalty Assessed** _____

☐ B&P Code §7099.10 Disconnect of telephone service

o **Modified Civil Penalty Assessed** _____

☐ B&P Code §7114.2 Misuse of contractor license

o **Modified Civil Penalty Assessed** _____

ORDER

(1) Order of Abatement:

- ☐ Cease and desist advertising for construction services without a valid contractor's license.
- ☒ Cease and desist using the license number belonging to others.
- ☒ Cease and desist your illegal contracting activities.
- ☐ Cease and desist using employee labor without a Workers Compensation Insurance.
- ☐ Cease and desist acting as a home improvement salesperson without registration.
- ☐ Notify the telephone company to disconnect the telephone which appears on the illegal advertisement within fifteen (15) days after service of this citation.
- ☐ Cease from performing the following:

(2) Order to Pay an Administrative Fine:

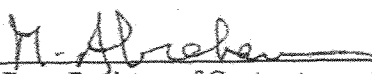
In addition to the Order of Abatement you must pay an administrative penalty (fine) in the amount of \$7,000.00 within thirty (30) days from the date of this modified citation (see attached payment schedule).

FAILURE TO COMPLY WITH THE PROVISIONS OF THIS CITATION AFTER IT IS FINAL IS A MISDEMEANOR AND MAY RESULT IN THE ISSUANCE OF A WARRANT FOR YOUR ARREST.

IF YOU FAIL TO PAY THE CIVIL PENALTY AMOUNT DUE, THE CSLB MAY DELEGATE THE COLLECTION OF THE CIVIL PENALTY FOR ANY CITATION ISSUED TO ANY ENTITY AUTHORIZED TO ENGAGE IN COLLECTIONS.

03/12/2021

DATE


FOR: David Fogt, Registrar of Contractors
Contractors State License Board

IMPORTANT NOTE:

Pursuant to Business and Professions Code 7099.8(b)(4), if a cited person wishes to contest a citation affirmed or modified, the person shall, within 30 days after the service of the modified or affirmed citation, contest the affirmed or modified citation by submitting a **written request** for an administrative hearing to the chief of the enforcement division or a designee.

Total Civil Penalty: **\$7,000.00** payable to **CSLB** as follows:

1	Payment \$700.00	on or before	04/12/2021
2	Payment \$700.00	on or before	05/12/2021
3	Payment \$700.00	on or before	06/12/2021
4	Payment \$700.00	on or before	07/12/2021
5	Payment \$700.00	on or before	08/12/2021
6	Payment \$700.00	on or before	09/12/2021
7	Payment \$700.00	on or before	10/12/2021
8	Payment \$700.00	on or before	11/12/2021
9	Payment \$700.00	on or before	12/12/2021
10	Payment \$700.00	on or before	01/12/2022

To resolve the current citation against you, it is essential that you follow this instruction closely.

Citation Payment

Payment of administrative (civil) citation penalties must be made in the form of a **certified check, cashier's check or money order**, made payable to: **Contractors State License Board. NO OTHER FORM OF PAYMENT WILL BE ACCEPTED.**

Please include the citation number on your certified check or money order to ensure timely processing.
All payment **MUST** be mailed to the following address:

**Contractors State License Board
Citation Enforcement Section
P O Box 276005
Sacramento, CA 95827**